

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address Katie Parker (SBN 271388) Kparker@aldridgepite.com <b>ALDRIDGE PITE, LLP</b> 4375 Jutland Drive, Suite 200 P.O. Box 17933 San Diego, CA 92177-0933 Telephone: (858) 750-7600 Facsimile: (619) 590-1385</p> <p><input checked="" type="checkbox"/> <i>Attorney for Movant</i> <input type="checkbox"/> <i>Movant appearing without an attorney</i></p>	<p>FOR COURT USE ONLY</p> <div style="border: 1px solid black; padding: 10px; text-align: center;"><p><b>FILED &amp; ENTERED</b></p><p><b>JAN 25 2019</b></p><p>CLERK U.S. BANKRUPTCY COURT Central District of California BY <b>duarte</b> DEPUTY CLERK</p></div>
<p><b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA (SANTA ANA)</b></p>	
<p>In re:</p> <p>JOSEPH JOHN MUNOZ and MARIA MUNOZ aka MARIA DE JESUS MUNOZ,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 8:18-bk-14112-ES CHAPTER: 7</p> <div style="border: 1px solid black; padding: 10px; text-align: center;"><p><b>ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (REAL PROPERTY)</b></p></div> <p>DATE: January 10, 2019 TIME: 10:00 AM COURTROOM: 5A PLACE: 411 West Fourth Street Santa Ana, CA 92701</p>
<p><b>Movant:</b> THE BANK OF NEW YORK MELLON as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2002-21A</p>	

1. The Motion was: ☐ Opposed ☒ Unopposed ☐ Settled by stipulation

2. The Motion affects the following real property (Property):

Street address: 18541 Valley Dr  
Unit/suite number:  
City, state, zip code: Villa Park, CA, 92861

Legal description or document recording number (including county of recording):  
Orange County; Inst. No. 20020739752

☐ See attached page.


3. The Motion is granted under:
- ☒ 11 U.S.C. § 362(d)(1)
  - ☒ 11 U.S.C. § 362(d)(2)
  - ☐ 11 U.S.C. § 362(d)(3)
  - ☐ 11 U.S.C. § 362(d)(4). The filing of the bankruptcy petition was part of a scheme to hinder, delay, or defraud creditors that involved:
    - ☐ The transfer of all or part ownership of, or other interest in, the Property without the consent of the secured creditor or court approval; and/or
    - ☐ Multiple bankruptcy cases affecting the Property.
    - ☐ The court ☐ makes ☐ does not make ☐ cannot make a finding that the Debtor was involved in this scheme.
    - (4) If recorded in compliance with applicable state laws governing notices of interests or liens in real property, this order shall be binding in any other case under this title purporting to affect the Property filed not later than 2 years after the date of the entry of this order by the court, except that a debtor in a subsequent case under this title may move for relief from this order based upon changed circumstances or for good cause shown, after notice and a hearing. Any federal, state or local government unit that accepts notices of interests or liens in real property shall accept any certified copy of this order for indexing and recording.
4. ☒ As to Movant, its successors, transferees and assigns, the stay of 11 U.S.C. § 362(a) is:
- ☒ Terminated as to the Debtor and the Debtor's bankruptcy estate.
  - ☐ Modified or conditioned as set forth in Exhibit \_\_\_\_\_ to this order.
  - ☐ Annulled retroactively to the bankruptcy petition date. Any postpetition acts taken by Movant to enforce its remedies regarding the Property do not constitute a violation of the stay.
5. ☒ Movant may enforce its remedies to foreclose upon and obtain possession of the Property in accordance with applicable nonbankruptcy law, but may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.
6. ☐ Movant must not conduct a foreclosure sale of the Property before (date) \_\_\_\_\_.
7. ☐ The stay shall remain in effect subject to the terms and conditions set forth in the Adequate Protection Agreement contained within this order.
8. ☐ In chapter 13 cases, the trustee must not make any further payments on account of Movant's secured claim after entry of this order. The secured portion of Movant's claim is deemed withdrawn upon entry of this order without prejudice to Movant's right to file an amended unsecured claim for any deficiency. Absent a stipulation or order to the contrary, Movant must return to the trustee any payments received from the trustee on account of Movant's secured claim after entry of this order.
9. ☐ The co-debtor stay of 11 U.S.C. § 1201(a) or § 1301(a) is terminated, modified or annulled as to the co-debtor, as to the same terms and conditions as to the Debtor.
10. ☒ The 14-day stay as provided in FRBP 4001(a)(3) is waived.
11. ☐ This order is binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of the Bankruptcy Code.
12. ☒ Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing

agent, may contact the Debtor by telephone or written correspondence to offer such an agreement.

13. ☒ Upon entry of this order, for purposes of Cal. Civ. Code § 2923.5, the Debtor is a borrower as defined in Cal. Civ. Code § 2920.5(c)(2)(C).
14. ☐ A designated law enforcement officer may evict the Debtor and any other occupant from the Property regardless of any future bankruptcy case concerning the Property for a period of 180 days from the hearing of this Motion
- (a) ☐ without further notice.
- (b) ☐ upon recording of a copy of this order or giving appropriate notice of its entry in compliance with applicable nonbankruptcy law.
15. ☐ This order is binding and effective in any bankruptcy case commenced by or against the Debtor for a period of 180 days, so that no further automatic stay shall arise in that case as to the Property.
16. ☐ This order is binding and effective in any bankruptcy case commenced by or against any debtor who claims any interest in the Property for a period of 180 days from the hearing of this Motion:
- (a) ☐ without further notice.
- (b) ☐ upon recording of a copy of this order or giving appropriate notice of its entry in compliance with applicable nonbankruptcy law.
17. ☐ This order is binding and effective in any future bankruptcy case, no matter who the debtor may be
- (a) ☐ without further notice.
- (b) ☐ upon recording of a copy of this order or giving appropriate notice of its entry in compliance with applicable nonbankruptcy law.
18. ☒ Other (*specify*): Attached in support of this Order is Movant's Declaration substantiating Movant's beneficiary interest in the subject property

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Date: January 25, 2019

  
Erithe Smith  
United States Bankruptcy Judge

[RECORDING REQUESTED BY]  
NATIONWIDE TITLE CLEARING

[AND WHEN RECORDED MAIL TO]  
CitiMortgage, Inc.  
C/O NTC 2100 Alt. 19 North  
Palm Harbor, FL 34683

Recorded in Official Records, Orange County  
Tom Daly, Clerk-Recorder



2012000746707 10:29 am 12/04/12

47 405 A32 1

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### CORPORATE ASSIGNMENT OF DEED OF TRUST

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the undersigned, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR LEHMAN BROTHERS BANK, FSB, ITS SUCCESSORS AND ASSIGNS, WHOSE ADDRESS IS P.O. BOX 2026, FLINT, MI, 48501, (ASSIGNOR), by these presents does convey, grant, assign, transfer and set over the described Deed of Trust, without recourse, representation or warranty, together with all rights, title and interest secured thereby, all liens, and any rights due or to become due thereon to CITIMORTGAGE, INC., WHOSE ADDRESS IS 1000 TECHNOLOGY DRIVE, O'FALLON, MO 63368-2240 (800)283-7918, ITS SUCCESSORS OR ASSIGNS, (ASSIGNEE).

Said Deed of Trust made by JOSEPH J. MUNOZ AND MARIA DE JESUS MUNOZ and recorded on 08/30/2002 as Instrument # 20020739752, in Book , Page in the office of the ORANGE County Recorder, CA.

Tax Code/PIN: 372-422-08

Dated on 11/ 16 /2012 (MM/DD/YYYY)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR LEHMAN BROTHERS BANK, FSB, ITS SUCCESSORS AND ASSIGNS

By: Belinda Aguirre  
BELINDA AGUIRRE  
ASST. SECRETARY

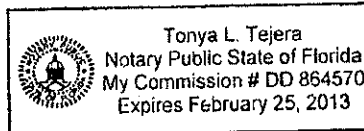
### ACKNOWLEDGEMENT

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me on 11/ 16 /2012 (MM/DD/YYYY), by BELINDA AGUIRRE as ASST. SECRETARY for MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR LEHMAN BROTHERS BANK, FSB, ITS SUCCESSORS AND ASSIGNS, who, as such ASST. SECRETARY being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

Tonya L. Tejera

TONYA L. TEJERA DD 864570  
Notary Public - State of FLORIDA  
Commission expires: 02/25/2013



Document Prepared By: E.Lance/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152

CMAVR 17987752 -- MERS MOM (2) CJ43829011X MIN 100025440000422730 MERS PHONE 1-888-679-6377

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\*17987752\*

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When Recorded Mail To:  
CT LIEN SOLUTIONS  
PO BOX 29071  
GLENDALE, CA 91209-9071  
Phone #: 800-331-3282

Person Requesting Recording:  
CITIMORTGAGE, INC  
TONJA BROOKS

Recorded in Official Records, Orange County  
Hugh Nguyen, Clerk-Recorder



2016000032503 3:15 pm 01/25/16

276 409 A32 F13 1  
0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00



### ASSIGNMENT OF DEED OF TRUST

#### KNOW ALL MEN BY THESE PRESENTS:

That CitiMortgage, Inc. whose mailing address is 1000 Technology Drive, O'Fallon, MO, 63368 herein designated as the Assignor does hereby grant, bargain, sell, assign, transfer and set over unto THE BANK OF NEW YORK, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES 2002-21A whose mailing address is 1000 Technology Drive, O'Fallon, MO, 63368, herein designated as the Assignee, that certain Deed of Trust recorded in the Official Records of Orange County, California and executed by Joseph J. Munoz and Maria De Jesus Munoz dated 08/26/2002 filed 08/30/2002 and recorded in Official Records Book: NA Page: NA Instrument No: 20020739752, of the Public.

TO HAVE AND TO HOLD the same unto the said Assignee.

IN WITNESS WHEREOF, the said Assignor has caused these presents to be executed in its name on

1-14-16  
CitiMortgage, Inc.

Tonja Brooks  
By: Tonja Brooks  
Document Control Officer

#### STATE OF MISSOURI, ST. CHARLES COUNTY

On 1-14-16 before me, the undersigned, a notary public in and for said state, personally appeared **Tonja Brooks, Document Control Officer of CitiMortgage, Inc.** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Laura M. Jones  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Charles County  
My Commission Expires: March 19, 2016  
Commission Number: 12316868

Laura M. Jones  
Notary Public Laura M. Jones

Commission Expires: 03/19/2016

IT  
IP  
FF  
CP